

Sharing the land



New strategies in the struggle for land and housing are being devised by civic associations around the country.

Jo-Anne Collinge visited the sites of two such struggles:

Freedom Square near Bloemfontein and Oupa Qineba Village outside Heidelberg

Crossroads, reduced to smouldering ruins in mid-1986 by the marauding Witdoek vigilantes, posed the question: How can shack settlements be made immune from the state's divide-and-rule strategies and be secured in the broader struggle against apartheid?

The people of Crossroads were a militant symbol of resistance. Year after year they weathered pass raids, deportation and demolition. But in time they were defeated by deep divisions which developed among them in response to the state's cooptive strategies. Finally, the Witdoeke who destroyed Crossroads and its surrounding settlements came from within.

Since 1986, in the post-pass-law years, shack settlements have exploded into being in urban areas. Estimates of the number of people living in informal housing run as high as 5,65 million for the Cape, Transvaal and Natal alone, excluding most areas of the 'independent' bantustans.

Organisation of informal settlements in

the urban areas of 'white' South Africa has more often than not been purely defensive - to prevent the destruction of shacks and removal of the people at the hands of police and local authorities.

But in a few instances shack settlements have actually been born of the broader struggle against apartheid. They have been initiated by civic associations committed to the total transformation of South African society. And they are seen as part of that transformation.

This is the case in Bloemfontein, where the Mangaung Civic Association (MCA) has established the 2 500 shack settlement of Freedom Square in what was for years a racial no man's land - the 'buffer' strip between the coloured township of Heidelberg and the black township of Mangaung.

Shortly before the land invasion the 'buffer' area was actually zoned for coloured occupation.

The MCA is also responsible for several

smaller squatter settlements, including Tambo Square which consists of about 200 shacks right on the doorstep of the Bloemfontein central business district.

MCA secretary Sekhopi Malebo asserts: 'When we put up these informal areas we do it consciously as part of the repossession of the land'.

But, he adds, the shack towns are also a consequence of real need. Whenever the civic called meetings to discuss service provision in the township it was asked about the problems of the homeless and concluded that occupation of vacant land was the only possible solution.

'We felt that in the spirit of the defiance campaign we should go and occupy the land in the buffer zone which had been rendered useless by the apartheid system'.

The huge demand for housing is largely a result of the building freeze that applied in Bloemfontein's townships between 1968 and the mid-'80s. Most housing built since then has been costly private development and the people's demand for homes has gone largely unmet by the township's planners.

From January onwards the civic organised groups of 100 to 150 families at a time and measured out stands for them on the sloping stretch of land that was to become Freedom Square. It organised a group which acted as town planners, measuring out stands and providing for roads.

The land allocation is intended to be permanent. Shacks are dotted rather than clustered on the veld and sufficient room has been left for the installation of services such as sewerage and electricity at a later stage.

'We enlisted the support of a progressive professor of architecture who helped us come up with an alternative to the apartheid town plan', says Malebo.

'Our people were divided into defence units. In the event that there was any attempt to evict them, they were prepared to defend their homes'.

Malebo cites as an example of residents' determination to defend their territory their reaction to a large-scale police 'crime prevention' operation at the end of April. People actually mobilised with every makeshift weapon or implement they could find, he says, and were ready to confront the armed forces when their leadership intervened.

'In Freedom Square people have a seSotho saying which translates as "Come what may" - it means they will choose death over life if necessary'.

The intervention of any authority - not only the armed forces - is a matter of debate in Freedom Square and the smaller shack towns. 'These places have been won by the people without any assistance by the puppets. Our strategy worked and we have embarrassed the Mangaung council which could not get land for our people. Should we hand our land over to the administration of these people (the councillors) or administer our areas as semi-liberated zones'?

In some respects a compromise has been struck. When provincial authorities expressed their concern at a possible health hazard developing, the MCA conceded that the province should be allowed to lay-out certain sections of the camp and grade the roads.

In Freedom Square the road-grader has become a sign of the permanence of the area, even as in other squatter camps the bulldozer has spelled destruction.

Also, when the council offered to lay on water tankers twice a day this was accepted.

Zwelinzima Jacobs, a worker at the Ikageng Advice Office in Mangaung, adds that 'we refused to give the councillors a chance to address the people (when they supplied the water). We said they should make no political gains from the suffering of the people'.

But the MCA hopes political gains will be made for those seeking a non-racial society. They aim to alter the racial geography of Bloemfontein irreversibly, to 'close the gaps of apartheid', as Malebo puts it.

He argues that the Zimbabwean experience has important lessons. 'In Harare it is very clear that apartheid is being maintained by privatisation', he observes. Whites had acquired large areas of land between the old townships and the predominantly white suburbs and left this land undeveloped - in effect, the equivalent of the apartheid 'buffer zone'.

The MCA is determined that its homeless supporters will not be forced into areas expanding apartheid-wise, further and further from the city.

It is no accident, says Malebo, that people have chosen to live in Tambo Square, from where they can walk to work. 'We are prepared to defend this to the hilt'.

Not all those who wish to live in the MCA controlled settlements are accepted, however. Weekly meetings of applicants are held in various townships - including the coloured township of

Heidedal - and the MCA's expectations of those who move into the settlements are made clear. Certain people are automatically excluded - for instance those who already own/occupy property and are seeking to expand the land they own.

'We explain how housing and land are used as political control and how people need to take political action (to secure their housing needs)', Malebo says.

'One old man said to me, "For the past 50 years I've never had a home to be proud of, to offer my children. But where I've put this tin shack I am proud because I fought for it"'.

Mike Makwa is chairman of the Freedom Square Committee. He has a rudimentary shack there - but spends more effort on building organisation than improving his home.

He believes that people are well aware of the political implications of their land invasion and were not merely hungry for shelter. 'They wanted to scramble apartheid. They wanted to see if the Group Areas Act was abolished. So they took the land and they won. We are here to stay'.

Most of the people were too poor to afford the rents or repayments for formal housing, says Makwa. Others - teachers and nurses - could have paid but mysteriously were never allocated houses by the council.

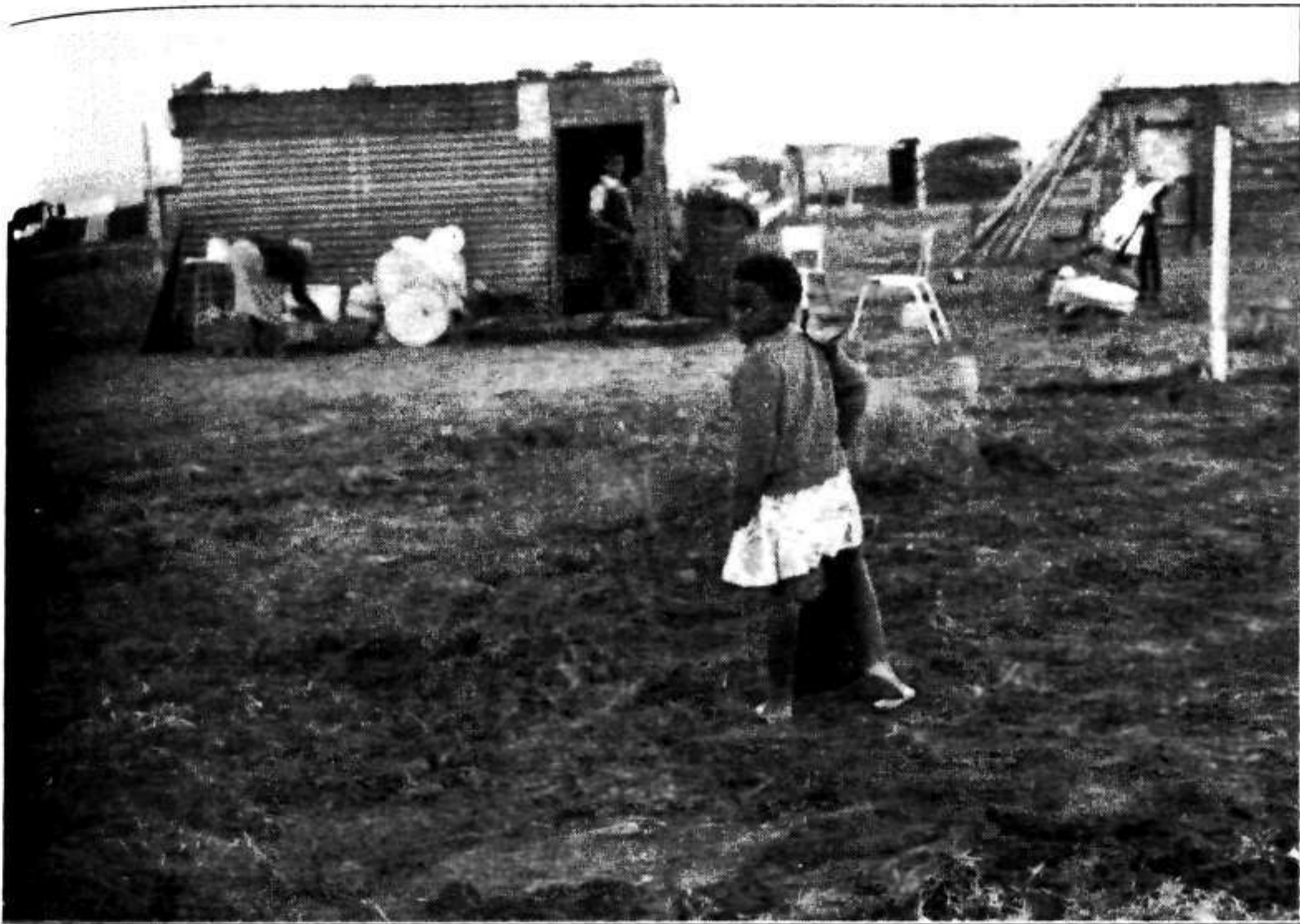
Despite the humble nature of many of the shacks 'they feel very proud of having homes and having the land, which they never had before', he believes.

Makwa reckons most residents of Freedom Square are prepared to build their own homes according to their financial capacity. But that they regard it as the job of the authorities to provide services.

Jacobs of the Advice Office is not as clear on whether housing should, in the long term, be a private concern. 'It is a collective demand and not an individual one, so we would expect some provision from a post-apartheid government'.

Jacobs argues that the residents have not gained their land free of charge - they have paid in the risks they have taken. Moreover, 'with what we are targeting, those buffer zones, it amounts to allocating state property, and therefore the people's property'.

However, he also observes that part of the political agenda of opposition groups is to avoid creating problems for a post-apartheid government. And so residents are themselves addressing the immediate problems of transport and



Bloemfontein's Freedom Square: a stride forward for the landless

other services.

If Freedom Square is a tremendous stride forward for the landless, it remains a shack town with all the shortcomings of this flimsy form of shelter, Jacobs acknowledges. He sees the introduction of community health and welfare services as vital to combating some of the problems likely to arise.

The MCA is also looking towards ways of transforming Freedom Square from a village of zinc to one built in bricks and mortar.

Malebo observes that many people reject the idea of housing bonds. 'They see it as just another burden. Instead they are prepared to buy their houses five bricks at a time if necessary'.

The civic association hopes to be able to set up a 'house-building clinic where ordinary people can get an idea of how to build a good but cheap house'.

For the funding of the housing clinic the MCA is looking not to foreign development aid, but to a foundation set up by a South African company with strong links to the Consultative Business Movement.

When it comes to mobilising finance for individual homes, co-operatives and traditional ways of pooling money through stokvels are in the minds of the MCA leadership.

Along with this is a concern to neutralise the stigma of homelessness and inferior housing. 'We try to help people understand that it is because of bad salaries that they cannot build houses for themselves, because of apartheid exploitation. We say to them, "You don't have to feel bad about yourself because of this"', Malebo says.

When he talks of organs of peoples power, it is this wide range of representative and service organisations he refers to - from the MCA itself and the elected settlement committees, to the proposed consumer co-operatives.

He does not regard the much publicised 'people's court' which allegedly sentenced a policeman to be executed by stabbing in mid-April as an organ of people's power. Malebo acknowledges that the killing occurred in a shack settlement, but states that it was not a section under MCA control. He adds

that the MCA intervened immediately after the killing, partly because it feared that there might be official reprisals against the whole community in the form of widespread demolitions.

No such demolitions occurred and the MCA has halted the expansion of shacks in the area concerned until its authority among existing residents is assured. The local United Democratic Front committee also regards the so-called execution as a plain criminal act that cannot be justified in the name of the struggle.

It could be argued that Freedom Square and Tambo Square are products of the period of transition - that it is logical in this time of liberalisation and negotiation that shack dwellers be left in peace to pursue alternative housing strategies.

But a quick survey of developments elsewhere makes it clear this is only partly true. Shack demolitions have bedevilled many areas - from the Cape Peninsula to the Reef - in recent months.

Nor is this an accident. The new Prevention of Illegal Squatting Act became law by virtue of a President's Council

decision (overriding the opposition of the houses of Delegates and Representatives) as recently as last November.

While deputy minister of constitutional development and planning Roelf Meyer emphasised the Act's 'new concept', namely that 'for the first time informal housing is being given legal recognition', its critics had plenty to complain about, including:

- * the presumption in law that those accused of squatting were guilty until proven innocent;

- * the compulsion on the courts to order the demolition of shacks of those found guilty of squatting. In earlier legislation the courts had had a discretion in this respect;

- * dramatically increased penalties for squatters and land owners who permit squatting. In the case of the former the maximum penalty became R2 000 or 12 months' jail and in the case of the latter R12 000 or five years;

- * the empowerment of local authorities to monitor and act against squatters - and for the provincial administrator to fulfil these functions if the local council failed to do so;

- * the provision for ill-defined 'committees' to monitor and evict squatters from areas outside of local authority jurisdiction.

Clearly the new Act gives the government the power choose which of two sharply contrasting courses of action to take in relation to any given 'squatter' problem. It ensures the state absolute power to destroy shack settlements which it finds inconvenient or threatening, and equal power to confer its legal blessing on settlements which defuse the demand for housing without undermining other established interests.

Bloemfontein's Freedom Square is clearly a candidate for state blessing and future legalisation. Several factors may have influenced the authorities to take this option.

Firstly, the bulk of the land in question had not been sold to any private owner or developer. Its long-standing 'buffer' status had rendered it economically inert.

Secondly, while Freedom Square certainly challenges the geography of apartheid and the notion of apartheid cities in a concrete way, it does not impinge directly on the daily life of white residents of the city.

It is probably significant that it is the buffer between the coloured area and the black township that is filling up with shacks, and the strip between the town-

Is the tin town here to stay?

Maria Maliqhwa Mofokeng, mother of six children, had lived in her shack in Oupa Qineba Village for just two weeks when she got notice to quit within 24 hours. She ignored it and was still there six weeks later.

'We are prepared to stay here for as long as it takes for us to get houses,' she says.

Maria Mofokeng is the wife of a building contractor who has worked 29 years building houses for other people but has never been able to secure his own home.

Eventually the Mofokengs and hundreds of other families living in backyard shacks in the Heidelberg township of Ratanda helped themselves to a piece of land, which they swear they will not leave except in return for housing of a permanent nature.

The residents of Oupa Qineba Village are what the Ratanda Town Committee chief executive DJ van Rensburg calls illegal squatters.

Van Rensburg says that Ratanda also has 'legal squatters', who are being temporarily accommodated in shacks in a municipal camp serviced by water tankers and bucket toilets. To him it is sheer perversity on the part of the Ratanda Civic Association (RCA) to organise 'illegal squatting' when temporary legal sites are available.

He points out that Oupa Qineba Village was started on March 19, while the local authority set up its camp on April 4. 'They moved when they knew that we had plans, saying "we will go to an area where we want to stay, not where you want us to stay".'

RCA spokesmen are quite candid

that the invasion of land which they coordinated was indeed a reaction to the council's housing policy.

In January they had staged a mass march of 10 000 people in support of the demand for homes. When two months later the council responded with an offer of a temporary shack town, RCA leaders considered the time had come to implement a land occupation plan approved by the homeless about a week earlier.

When thousands of desperate homeseekers heard that their destiny was a 'temporary' camp, many of them marched out of the gathering at the council offices - to collect their implements, their zinc and cardboard and head for the land of their choice.

The RCA took charge of allocating and measuring stands. A grader belonging to a contractor was used to make roads. The authorities allege the grader was hijacked. The RCA says it was used with permission.

On the very first day, a 12-year-old child, Oupa Qineba, was shot dead by police during the land invasion. According to residents, Oupa was coming from school towards the site of the shack town when he was shot. They point to a depression in the ground where the child died and a piece of metal with two holes in it, allegedly made by live ammunition used that day.

The settlement bears Oupa's name and his family continues to live there.

For Robert Mofokeng, brother-in-law of Maria and head of the village committee, the death of Oupa has affirmed his resolve to stay.

Apart from anything else, he sees little prospect of their demands being

ship and the station-end of the city. Would the response be quite as mild if the buffer adjoined a white suburb and housing values there were threatened by a permanent shack presence nearby?

Indeed, there are signs in the PWV area that the reform era has called into being a new 'buffer', determined on socio-economic grounds rather than in terms of race. New middle-class townships are beginning to edge closer and

closer to the white suburbs. Sometimes township and suburban houses are no more than a highway apart - and almost indistinguishable. They prevent the invasion of open land by the homeless; they 'protect' whites from the poor.

It is probable that the authorities appreciated that sooner or later they would have to address the problem of the homeless, landless, poorer residents of Bloemfontein. The Verwoerdian plan

met. 'I don't believe anymore I will get a house out of this council. With all the applications I have made I should have had a house long ago'.

For residents and the RCA the issues are:

- * The fact that all the council is able to offer them is a prolonged stay in 'temporary' homes in the approved camp. Van Rensburg confirms that it will probably be at least two years until permanent sites will be ready because mineral rights have to be expropriated before the land is occupied and this typically takes two years. After years - or even decades - of camping in other people's yards, residents of Oupa Qineba Village want their own permanent homes.

- * The fact that the land they have taken has already been sold to a private developer. Mofokeng says people find it unacceptable that 'the councillors sell land in a way where we don't know how the money's being used'. They feel that land developers should have got second option and that the readily available land should have been allocated to relieve the greatest need immediately.

Van Rensburg says that 240 houses, a shopping centre and a school are due to be developed privately on the land presently occupied by shacks. This would not even dent the housing demand of shack dwellers (supposing they could afford such homes). Van Rensburg estimates the total number of shacks at 2 300, with about 500 situated 'illegally'. The RCA estimates that Oupa Qineba village is significantly larger than 500 shacks.

- * The need to keep their plight visible. RCA members reckon that shacks strategically placed along the highways are far more likely to yield results than occupation of a 'temporary' camp hidden in the bowels of the township.

The local authority's position is clear: it wants the land vacated so that building can commence.



Mofokeng: prepared to stay

'We're going to negotiate with these people (in Oupa Qineba Village). We will try to settle matters peacefully', says Van Rensburg. 'But failing that we'll have to take action. Probably go to court for an order'.

The council seems in a strong position, wielding both the carrot and the very sturdy stick provided for in the 1989 Prevention of Illegal Squatting Act. If it gets a conviction for illegal squatting, it also gets an automatic demolition order.

Furthermore, it is in a position to develop the official shack town and deny services to those on private land. 'We have been meeting with the Transvaal Provincial Authorities about finance for servicing. But the illegal squatters will not get a single cent or a drop of water from us,' says Van Rensburg.

Mofokeng concedes that some of those swept up in the bold land invasion have since had second thoughts and retreated to the local authority camp, known locally as the 'wagplek' (waiting place).

'Some people are not trusting this place mainly because they are being threatened that they will be moved by force if they do not move', he said.

People are also dependent on local householders and hostel dwellers for water and responsible for digging their own pit toilets.

Yet people continue to move into Oupa Qineba Village, though not in the initial large numbers. Residents are laying out gardens, digging toilets, erecting fencing.

Against the threats and resources of the council the RCA has only its organising ability. Its defence of Oupa Qineba Village will depend in large measure on linking this struggle to broader struggles in the community.

It has in its favour:

- * An established position in the community, having come into being more than six years ago, having weathered the state of emergency and its leadership having returned from detention committed to the struggle against apartheid.

- * An adversary - the Ratanda Town Committee - that is not popular and which has been shaken by resignation of members.

- * A broader housing struggle among occupants of Ratanda's formal housing, which has taken the form of a rent boycott.

The RCA is well aware of the fact that the wholesale evacuation of backyard shack dwellers has caused some hard feeling among former landlords who depended on the shacks for income. It is attempting to prevent this dividing its constituency.

The RCA intended its land occupation to seriously address the problem of homelessness. It has been confronted on all sides by opponents with vested economic interests in the land. Whether the local state decides to invoke the draconian squatting laws is likely to be decisively influenced by the weight of the economic interests. ●

of shipping the city's black people off to Botshabelo (some 40 km away) and declaring that area part of QwaQwa had failed. Not only did many people refuse to go, but the Appeal Court ruled that the incorporation into QwaQwa was invalid.

To endorse an organised popular initiative is certainly a much more astute move on the part of the authorities than to attempt to foist onto the homeless a

top-down 'emergency housing camp' solution.

From the perspective of the MCA, Freedom Square and the smaller camps bear very clearly the marks of the transition from apartheid. They are a legacy of defiance campaign of 1989 and of the refusal to bow to apartheid structures of authority. They bear traces of the debate on the future distribution of resources.

And they were born in the clear belief

that a popular government will take the reigns of power in the foreseeable future. How many other shack towns have taken real account of the legalisation of the African National Congress and the imminent return of thousands of exiles?

'In fact, when we were making the sites the people came with the suggestion that some should be saved for the exiles who are coming home', recalls Makbo. ●